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CITY AND COUNTY OF SAN FRANCISCO,
LADRON DURIO, AND JAMES MOORE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GLADYS DEWITT,

Plaintiff,

vs.

CITY AND COUNTY OF SAN
FRANCISCO, SAN FRANCISCO
GENERAL HOSPITAL, LADRON
DURIO, JAMES MOORE, and DOES 1 –
25,

Defendants.

Case No. 07-3791 PJH

**DEFENDANTS' NOTICE OF NO
OPPOSITION RECEIVED FROM
PLAINTIFF DEWITT IN RESPONSE
TO DEFENDANTS' MOTION TO
DISMISS**

Hearing Date: September 5, 2007
Time: 9:00 a.m.
Place: Courtroom 3, 17th Fl

Trial Date: Not yet set

1 Defendants removed this action on July 24, 2007. Plaintiff's counsel was served with the
2 notice of removal and the initiating documents by U.S. Mail. On July 25, 2007, Defendants
3 electronically filed their motion to dismiss.

4 On August 10, 2007, the clerk issued a notice instructing all counsel who had not
5 previously done so to register as ECF users.

6 On August 13, 2007, Plaintiff filed a case management statement in San Francisco
7 Superior Court. When Defendants' counsel received the statement on August 14, 2007, she
8 phoned Plaintiff's counsel to inform him that the case had been removed, and that there was a
9 motion on file that was calendared for September 5, 2007.

10 Plaintiff's opposition to the motion to dismiss was due to be filed by August 15, 2007.
11 No opposition has been filed. On August 21, 2007, Plaintiff's counsel's phoned Defendants'
12 counsel to request a copy of the moving papers, which were emailed to him on the same date.

13 For all the reasons set forth in Defendants' moving papers, Defendants respectfully
14 request that the Court grant their motion to dismiss in its entirety.

15 Dated: August 21, 2007

16 DENNIS J. HERRERA
17 City Attorney
18 ELIZABETH S. SALVESON
19 Chief Labor Attorney
20 ROSE-ELLEN H. FAIRGRIEVE
21 Deputy City Attorney

22 By: _____/s/_____
23 ROSE-ELLEN H. FAIRGRIEVE

24 Attorneys for Defendants
25 CITY AND COUNTY OF SAN FRANCISCO,
26 LADRON DURIO, AND JAMES MOORE
27
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